

From: Tim Ramsey
To: Microsoft ATR
Date: 11/19/01 12:29pm
Subject: Settlement

Gentlemen,

I do not believe that the proposed settlement in the Microsoft case is nearly strong enough. I have been a software developer for almost 40 years and have observed Microsoft's practices from their emergence up to the present. Note that I am a contract developer of software used primarily by the Government; I am not a Microsoft competitor. I strongly believe that MS practices have stifled creativity, been the root cause of failure for numerous small software companies and have resulted in a restriction of choices for users.

Their primary methods for accomplishing this have been:

- * bundling deals with large PC manufacturers that demotivate users from purchasing alternatives - in many cases the "alternative" was actually the original inventor of the technology who today is not in business.

- * development of unnecessary MS specific variations of fundamental technologies - market share is then used to capture users, and since the MS technology is not compatible with the originals, the urge for compatibility creates a tidal force to assist them in capturing the market. Examples: Java and the present activity to capture multimedia web technology.

- * erection of roadblocks to file compatibility and other forms of secretiveness that make it difficult and sometimes impossible to use applications from other developers in conjunction with that from MS - try translating a Powerpoint file to any other format for example, or a Word document loaded with equations and figures. I note that most other developers go to great lengths to make their applications compatible with others and that this practice is of considerable benefit to users.

- * bundling price structures that make it uneconomic to use other applications.

Let's see how these practices work together to eliminate competition. For example MS Office is priced so as to make purchase of a single package uneconomic - suppose I need only Word; the purchase price is very large compared with that of Office (assuming I can find a copy), so I buy Office. I would have bought a competing product based on price and features, but I had to have Word for compatibility. Later, I need graphics software. Since I bought Office, I own a copy of

Powerpoint. Although I detest the way it works, I am now faced with a choice: use Powerpoint unhappily or spend more money on a graphics application that I like and face incompatibility with my customers who use Powerpoint mainly because Microsoft made it too hard for them not to.

I feel that that methods like these are exactly what is meant by the term "monopolistic practices". I am very unhappy that the proposed settlement is likely to enable Microsoft to continue to follow their historic course to the detriment of both the software development and user communities. I hope you will consider these thoughts in your deliberations.

The opinions expressed above are entirely my own and might or might not be shared by my employer.

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